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SAN DIEGO, CALIFORNIA 92101
(619) 338-8075
FACSIMILE (619) 338-8078

FACSIMILE TRANSMITTAL

DATE: October 6, 2005

FAX NO.:

FROM: Jennifer Grygiel, Legal Assistant

(619) 338-8078

TO: **Office of Patent Publication**
Attn: Ms. Lewis

(703) 308-5065

RE: **Applications:**
10/674,155 Issue Fee Payment

Ms. Lewis,

Per your request, attached are the documents filed on July 21, 2005 in response to the Notice of Allowance and Fee(s) Due, along with a copy of the Auto-Reply Facsimile transmission. The issue fee of \$1400 and the publication fee of \$300 were authorized to be charged to Deposit Account No. 50-2587.

Please confirm receipt and acceptance of this transmission and feel free to contact us should you have any questions or concerns regarding the Issuance of this application.

Please call Jennifer @ 619/338-8075 upon receipt.

We are transmitting a total of 4_ page(s) including this cover sheet.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Prakash Kasiraj) Art Unit: 2651
Serial No.: 10/674,155) Examiner: Olson
Filed: September 29, 2003) HSJ920030173US1
For: SYSTEM AND METHOD FOR) 750 B Street, Suite 3120
WRITING HDD DEPENDING ON) San Diego, CA 92101
DIRECTION OF HEAD SKEW) Customer No.: 24955

**FACSIMILE TRANSMITTAL LETTER FOR RESPONSE TO THE NOTICE OF ABANDONMENT
AND PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Commissioner for Patents
Alexandria, VA 22313
Facsimile No.: (703) 308-5065

→ Attn: Ms. Lewis
Dear Sir:

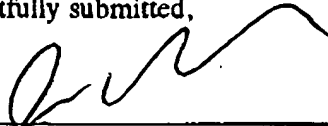
In response to the Notice of Abandonment dated September 30, 2005 for lack of payment of issue fee and publication fee, Applicant requests that the holding of abandonment be withdrawn.

The Notice of Allowance dated May 25, 2005 was timely responded to by facsimile on July 21, 2005, with authorization granting the Director to charge Deposit Account No. 50-2587 with the issue fee of \$1400 and the publication fee of \$300. Enclosed herewith are the following:

- (1) A copy of the Notice of Abandonment (2 pgs) and
- (2) A copy of the Issue Fee Transmittal, Fee Address Indication Form, and the Auto-Reply Facsimile transmission showing the date received July 21, 2005 (3 pgs). - Previously faxed to Ms. Lewis 10/11/2005 at the Office of Patent Publications.

Please confirm receipt and acceptance of this transmission and feel free to contact us should you have any questions or concerns regarding the Issuance of this application. Please call Jennifer at 619/338-8075 to confirm receipt of the attached documents.

Respectfully submitted,



John L. Rogitz, Atty. of Record, Reg. No. 33,549
750 "B" Street, Suite 3120, San Diego, CA 92101
Telephone: (619) 338-8075

We are transmitting a total of 3 page(s) including this cover sheet on October 11, 2005.

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United States Patent and Trademark Office
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P.O. Box 1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,155	09/29/2003	Prakash Kasiraj	HSJ920030173US1	1901

7590

09/30/2005

John L. Rogitz
Rogitz & Associates
Suite 3120
750 B Street
San Diego, CA 92101

EXAMINER

OLSON, JASON C

ART UNIT

PAPER NUMBER

2651

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment**Application No.**

10/674,155

Examiner

Olson

Applicant(s)

Kasiraj

Art Unit

2651

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☒ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

slk

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

USPTO 7/12/2005 1:05 PM PAGE 1/001 Fax Server
Auto-reply fax to 1619336-378 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 16193388078

Fax Information

Date Received:

Total Pages:

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7/21/2005 1:03:49 PM [Eastern Daylight Time]

2 (including cover page)

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Received
Cover
Page

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[illegible]

"FEE ADDRESS" INDICATION FORM

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INSTRUCTIONS : Only an address represented by a Customer Number can be established as the fee address for maintenance fee purposes (hereafter, fee address). A fee address should be specified when the patentee would like correspondence related to maintenance fees to be mailed to a different address than the correspondence address for the application.

When to check the first box below: If the fee address for the patent and/or application number(s) you indicate is to be established with, or changed to, an existing Customer Number.

When to check the second box below: If a Customer Number representing the fee address has to be established so it can then be associated with the patent and/or application number(s) you indicate.

For more information on Customer Numbers, see the Manual of Patent Examining Procedure (MPEP) § 403.

Please recognize as the "Fee Address" under the provisions of 37 CFR 1.363 the address associated with:



Customer Number:

36023

OR



Request for Customer Number (PTO/SB/125) attached hereto
in the following listed application(s) for which the Issue Fee has been paid for patent(s).

PATENT NUMBER (if known)	APPLICATION NUMBER
	10/674,155

Completed by (check one):



Applicant/Inventor



Signature



Attorney or Agent of record

33,549

(Reg. No.)

JOHN L. ROGITZ

Typed or printed name



Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

619.338.8075

Requester's telephone number



Assignee recorded at Reel _____ Frame _____

July 21, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.



* Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.363. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop M Correspondence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.